

Aaron Guckian
Chairman

Janine L. Burke
Executive Director



Scott Avedisian
Mayor

Warwick Sewer Authority
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BOARD MEETING MINUTES

Thursday, August 28, 2014, 5:30 p.m.
Warwick Sewer Authority Conference Room
125 Arthur W. Devine Boulevard
Warwick, RI 02886

Board Members present:	Guests:
Aaron Guckian, Chairman	Chris Allen for Lee Niles, Namquid Drive
Steve Sylven, P.E.	Shaun Galligan, Lucas Milhaupt Warwick LLC
Gary P. Marino	Carissa Lord, CDR/Maguire
Peter Ginaitt	Peter Garvey (observing)
Gary Jarvis, Secretary	
Staff present:	
Janine L. Burke, Executive Director	John Revens, Revens, Revens & St. Pierre
Lynn F. Owens, Administrative Coordinator	Lynda E. Ortiz, Finance/Customer Service Mgr

1. **Call to Order** At 5:30 p.m. Chairman Guckian called this meeting to order.
2. **Pledge of Allegiance** Those in attendance rose to salute the Flag and recite the Pledge of Allegiance.
3. **Approval of Minutes**
 - a. Approval of minutes from the regular meeting held July 24, 2014.

ACTION: Mr. Sylven moved approval of the minutes as submitted. Mr. Marino seconded the motion. Chairman Guckian, Messrs. Sylven, Jarvis and Marino voted in favor of the motion. Mr. Ginaitt not available for vote. Motion approved.
4. **Industrial Pretreatment Division**
 - a. Lucas Milhaupt Wastewater Discharge Permit #110
Representative to address WSA Board members regarding the timely filing of quarterly production reports

DISCUSSION/ACTION: Shaun Galligan, Environmental, Health and Safety Manager at Lucas Milhaupt in attendance.

In addition to documents sent to Board members electronically in their agenda packets, Ms. Rossi distributed a memo regarding the Industrial Pretreatment Program's recommendation for violation notices and fines associated with Permit #110 Lucas Milhaupt Warwick LLC due to late reporting.

Ms. Rossi stated in April 2013 Lucas Milhaupt purchased Wolverine Technologies and was issued a new industrial pretreatment permit in June 2013. She stated as part of the permit, they are required to submit monthly and quarterly reports. She stated there have been a number of late reporting incidents since Lucas Milhaupt took over the business. She stated the violation notices have not been issued yet; the fines have not been implemented yet. She stated Mr. Galligan asked to speak with the Board.

The Board discussed with staff the fine schedule used for repeated violations of reporting requirements and/or permit discharge limits.

Mr. Revens stated the Board should not be hearing this until an official Notice of Violation is issued and formally appealed by the business. Chairman Guckian ended the discussion at the direction of legal counsel. Director Burke and Ms. Rossi stated a Notice of Violation will be issued; if the business does not pay the fines within fifteen days, a Show Cause Order will be issued directing the business to appear before the Board. Chairman Guckian directed Mr. Galligan to speak with staff for clarification on the violation process.

No action.

- b. Extension of contract: Analytical laboratory services
RI Analytical Laboratories, Inc. (RIAL): contract allows for the extension of terms in increments of one year upon mutual agreement.

ACTION: Director Burke stated WSA was asking for a one year extension at the same prices, as provided for in the contract. This is the second extension. WSA is satisfied with the service provided by RIAL.

Mr. Ginaitt moved approval of a one-year contract extension with RIAL. Mr. Sylven seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven, Jarvis and Marino voted in favor of the motion. Motion approved.

5. AWT-Phosphorus & Flood Control Project, Contract No. 91

- a. AECOM to submit progress report and updated combined schedule

Director Burke stated AECOM has provided WSA with a progress report on Contract 91 activity; construction is ongoing. Pictures of the

construction were available to the Board members. Mr. Setzko will be present at upcoming meetings.

- b. Independent materials testing and inspection
Thielsch Engineering: not to exceed \$58,605.00

ACTION: Director Burke stated WSA is responsible for certain independent testing of materials used during construction (Contract 91). She stated AECOM assisted WSA in getting pricing from various firms. She stated the low bidder is a company that Hart Engineering is using, so WSA cannot use them. She stated WSA recommends a contract for independent testing be awarded to a local vendor, Thielsch Engineering. She stated the value of the contract will be a "not to exceed" price of \$58,605.00; costs can be charged to the loan.

Mr. Sylven confirmed his understanding of the facts, and stated the proposals are more than what was budgeted (\$50,000). Director Burke stated if we can reduce the number of required tests, we may be able to come in on budget. Mr. Sylven stated he inquired about Briggs and GZA, but apparently they don't have the full capability to do the testing that's required. Director Burke stated we focused on RI local firms.

Mr. Ginaitt moved approval of a contract with Thielsch Engineering for independent materials testing and inspection at a "not to exceed" price of \$58,605.00. Mr. Jarvis seconded the motion. Chairman Guckian, Messrs. Sylven, Jarvis and Marino voted in favor of the motion. Motion approved.

6. Flood Protection and Mitigation

- a. Bellows Street Pumping Station

Director Burke stated this may be the last month this appears on the agenda; WSA expects to see the arbitrator's decision soon.

7. Operations and Maintenance Division

- a. Purchase Authorization: 2HP Water Champ Induction Mixer
Process Distributors, Inc.: \$9,466.00

ACTION: Tabled from 7-24-14 meeting. Director Burke asked the Board to deny this purchase request as a lower priced alternative is available.

Mr. Ginaitt rejected this purchase request. Mr. Marino seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven, Jarvis and Marino voted in favor of the motion. Purchase request denied.

- b. Purchase Authorization: 2HP Mastrrr Series 32 Induction Mixer
Mechanical Solutions, Inc.: \$6,595.00

ACTION: Mr. Sylven moved approval of the purchase. Messrs. Ginaitt and Marino seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven, Jarvis and Marino voted in favor of the motion. Purchase request approved.

8. Construction Division

a. Governor Francis Phase III Sewer Project: progress report

Director Burke stated our engineers on the project, GRA, will submit written reports going forward. She stated WSA met with the owner of the property WSA is looking at for the pump station. She stated we initiated an appraisal of the lot WSA wants to purchase on Manor Drive. She stated WSA plans to put the construction work out to bid in the spring.

b. O'Donnell Hill Sewer Project: progress report

No discussion or report provided.

9. Collection System Division No items to consider.

10. New Drainlayer Permit (2014)

a. Isidro Bairos, Bairos Construction, 813 County Street, Seekonk, MA

ACTION: Mr. Ginaitt moved approval. Mr. Marino seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven, Jarvis and Marino voted in favor of the motion. Motion approved.

11. Billing Services

a. Sewer Usage Abatement

Name	Service Address	Reason	Amount
Lee Niles	237 Namquid Drive Plat 305 Lot 58 Unit 9237	Abate principal sewer treatment charges for water not returned to WSA for treatment due to water leak in meter pit. Leak confirmed by Water Dept. and repaired.	\$337.60

ACTION: Christine Allen in attendance on behalf of her mother, Lee Niles. Ms. Allen asked that the interest be reduced also.

Mr. Sylven moved approval of the abatement as listed. Mr. Jarvis seconded the motion. Chairman Guckian, Messrs. Sylven, Jarvis and Marino voted in favor of the motion. Mr. Ginaitt unavailable for vote. Motion passes.

Ms. Ortiz stated the interest will adjust when the abatement is processed. A revised bill will be sent to the property owner.

b. Sewer Pretreatment Abatement

Name	Service Address	Reason	Amount
Buttonwoods Fish & Chips	416 Buttonwoods Avenue Plat 370 Lot 6	Abate principal pretreatment charges associated with previous business owner. New owner took over business April 2003.	\$248.34

ACTION: Business owner not in attendance. Director Burke stated WSA is in the process of reviewing outstanding pretreatment account bills; legal counsel is helping staff come up with a plan going forward. She recommended an abatement of this very old bill as it is for a previous owner's account. Ms. Ortiz stated the new owner has an outstanding bill and has agreed to pay any outstanding charges since he purchased the business in 2003.

Board members discussed with staff and legal counsel the extent of outstanding pretreatment bills WSA has been unable to collect. Mr. Revens stated it is not probable that WSA will collect on bills over ten years old; there is a statute of limitations issue. He stated you cannot lien the property for pretreatment charges.

Director Burke stated WSA is exploring whether we can require payment during the city's business licensing process, similar to the liquor license renewal process whereby payment of outstanding pretreatment bills is required. She stated WSA is starting to clean up these old bills.

Mr. Sylven asked if there could be a document that the owner is required to give to the lessee/renter acknowledging that they are aware that they owe pretreatment fees as part of the lease. Mr. Revens stated there is no way you can get the property owner involved without changes to the enabling legislation.

Chairman Guckian asked Director Burke to compile a list of outstanding pretreatment business debt, and instructed her to share with legal counsel. Mr. Jarvis asked that current owner liability and past owner liability be separated out with the plan to get rid of the old debt, and develop a strategy to get payment on the current debt. Ms. Ortiz stated WSA has had difficulty enforcing payment amongst pretreatment customers. Mr. Sylven asked if WSA can rescind the business permit.

Mr. Revens suggested staff come up with a plan of action for the Board to review after proper public notice on an upcoming agenda.

Mr. Jarvis moved to abate the pretreatment charges. Mr. Sylven seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven, Jarvis and Marino voted in favor of the motion. Motion approved.

12. Administrative Items

a. CDR/Maguire presentation on public outreach effort

Carissa Lord, CDR/Maguire, in attendance to review with the Board the public outreach materials CDR/Maguire prepared for WSA. Outreach materials were distributed to the Board with their agenda packets. Ms. Lord asked for feedback from the Board on the work product. She stated the large supporting document is an updated version of historic documents already available at WSA.

Mr. Ginaitt thanked the Board for moving this effort forward, to document what has made the Warwick Sewer Authority, and where we are today. He stated if the material is kept up-to-date and maintained, it will be a resource for WSA.

Ms. Lord stated the flashy handouts are based on facts in the large document. She stated it contains the message, just delivered in a different way (bill stuffers, mailings, etc.).

Mr. Ginaitt asked if there is a way we can capture in this document the major capital project that is ongoing at WSA today. Ms. Lord stated it will be key to update the main document as the facility and collection system are improved. She stated this material will deliver positive messaging about the ongoing investment in the City's sewer system.

Director Burke stated this information will go on the WSA website once WSA has access to and control of the site. She stated we can make one of the flyers interactive online. Mr. Sylven wondered how many sewer users would actually go to the website for information. He suggested a newsletter containing current events be included in the next billing. Mr. Ginaitt stated he would like to see CDR/Maguire return annually to update the information. Mr. Ginaitt would also like to see in writing the accolades and the awards the WSA has received that bring support to the WSA and strengthen its position.

Director Burke stated it was an excellent effort; CDR/Maguire did a fantastic job with the materials. She stated WSA will keep the data up-to-date. She asked the Board members to contribute any comments they feel would add value to the document. Mr. Marino suggested the treatment process flow diagram be included in the document.

Mr. Sylven suggested WSA put our awards on display in the conference room. Chairman Guckian encouraged Ms. Burke to look at the expense of installing a display cabinet in the lobby of the administration building.

b. Director's Report

- i. Financial Report
- ii. Administrative Schedule

Regarding rehabilitation of the main influent pipe under Interstate 95 (Old Business), Director Burke stated she asked Brown and Caldwell for a proposal to prepare bid specifications for the project. She stated Mr. Revens shared the evaluation with RIDOT, the Mayor has been advised, and a grant application has been submitted to RIEMA requesting homeland security funding.

Financial reports were included in the agenda packets (FY14 and FY15).

Chairman's Report

Chairman Guckian reminded the Board members and staff of the importance of adhering to the Open Meetings Act and sticking to the agenda. Mr. Revens has been asked to assist in keeping the focus on the agenda items.

Chairman Guckian stated he has asked Mr. Revens to assist in the review of the agenda with Director Burke prior to the agenda being distributed, in an effort to ensure proper policy and procedure.

Mr. Jarvis recognized Ms. Rossi for her customer service efforts.

Chairman Guckian thanked Mr. Ginaitt for his pursuit of up-to-date public outreach materials. He asked Board members to communicate with him if on Board meeting nights they are delayed.

13. Consent Agenda - Correspondence

- a. WSA to CRMC: MSCP Report, quarter ending June 30, 2014 (7-28-14)
- b. WSA to City Council: July 2014 Financial Report (8-6-14)
- c. Sewer Backflow Prevention Project Agreement (8-14)
- d. Homeowner Safety Valve Company revenue share (8-8-14)
- e. WSA/Revens to RIDOT: influent interceptor rehabilitation project (8-12-14)
- f. WSA July 2014 Monthly Report to Mayor Avedisian (8-22-14)

ACTION: Mr. Ginaitt moved approval of the consent agenda. Mr. Sylven seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven, Jarvis and Marino voted in favor of the motion. Motion approved.

14. New Business

Introduction of new business to be docketed for an upcoming meeting or to be referred to the executive director or legal counsel for comment.

No new business introduced.

15. Old Business

- a. Amendments to By-Laws
- b. Modifications to Septage Hauling Regulations
- c. Bayside I-III Sewer Project: Amendment to GRA contract/design services
- d. Sewer Assessment Deferment Policy (6-27-13)
- e. Sewer Assessment Deferment: Plat 332 Lot 483 (11-20-13)
- f. Financial review of sewer assessment structure, examination of various methodologies, B & E Consulting, LLC: not to exceed \$6,800.00 (6-19-14)
- g. Project management for sewer construction (7-24-14)
- h. 48" Influent Interceptor Sewer Rehabilitation Project (7-24-14)

Regarding Item h., Mr. Revens stated there was no substantive discussion about the project; he simply passed along the engineer's evaluation report to RIDOT and he assumed WSA would be in contact with RIDOT.

Chairman Guckian thanked Mr. Revens for his efforts.

16. PUBLIC COMMENT PERIOD No members of the public in attendance to comment.

17. Adjournment

Mr. Sylven moved to adjourn this meeting. Mr. Marino seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven, Jarvis and Marino voted in favor of the motion. Motion approved.

At 6:29 p.m. this meeting ended.

Gary C. Jarvis, WSA Secretary

Date of Approval

"Minutes are recorded pursuant to the Rhode Island General Laws § 42-46-7 for the purpose of capturing all general information relevant to the meeting. For a more comprehensive assessment of minutes, audio files shall be archived with the Warwick Sewer Authority and available upon request."